

REMARKS

Applicants thank the Examiner for carefully considering this application.

With regard to the Examiner's suggestion for amending claims 1, 10, 12, and 18, applicants appreciate the Examiner's suggestion, but have amended the claims in a slightly different way than suggested. Nonetheless, applicants respectfully submit that the claims as they stand clearly point out and distinctly claim the subject matter applicants regard as the invention. Specifically, with regard to claims 1 and 18, these claims both now specifically incorporate the limitation that the vehicle is operated by a driver into the limitations of the claim. Also, claim 10 has been canceled, and thus the suggestion with regard to claim 10 is moot. With regard to claim 12, applicants have amended the claim as suggested by the Examiner. Further, with regard to claim 9 and the objection by the Examiner, applicants have corrected the typographical error in claim 9 so that it now refers to a "lever".

Turning now to the substance of the rejection, applicants have amended the independent claims (claims 1 and 18) to incorporate a limitation similar to that of original claim 10. Specifically, both claims 1 and 18 now require that the adjusting of the engine operator parameter is performed both during and in response to a release of the accelerator pedal by the vehicle driver.

As such, applicants respectfully submit that the Imai reference (U.S. Patent No. 4,834,045) therefore is simply not relevant.

Further, applicants respectfully submit that Togai (U.S. Patent No. 5,625,558) also fails to show all of the

limitations of amended claims 1 and 18. Specifically, with regard to Togai, the rejection points to Figure 4. Applicants have reviewed Figure 4 and can find no reference to determining a desired vehicle trajectory in response to a release of an accelerator pedal by the driver, and during the release of the accelerator pedal, adjusting an engine operating parameter as recited in Claim 1.

As such, applicants respectfully submit that the amended claims are in condition for allowance and such allowance is courteously solicited.

Please charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account 06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505. A duplicate copy of this sheet is enclosed.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 18, 2003.



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Date of Signature: June 18, 2003

Respectfully submitted,

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